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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Ms JUSTICE G. ROHINI

WRIT PETITION No.968 of 2005

Between:

G. Ravindranath, S/o. Late G. Venkatasubbaiah,
ASI/FIRE CISF UNIT, VSP/Fire Vizag Steel Wing Plant, Visakhapatnam-32.

..... PETITIONER

AND

1. The Deputy Inspector General, Central Industrial Security Force, South Zone, Rajaji Bhavan, Basanthnagar, Chennai.
2. The Senior Commandant, Central Industrial Security Force, B.D.L.. Kanchanbagh, Hyderabad.
3. The Deputy Commandant, Central Industrial Security Force Unit, B.D.L.. Bhanur, Medak District.
4. The Commandant, Central Industrial Security Force Unit, Visakhapatnam Steel Project, Visakhapatnam.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in issuing Lr.No.C 11018/CISF/VSP/QR/FA/2005/507 Dt. 14-1-2005 and set aside the same as arbitrary, illegal unconstitutional and opposed to principles of natural justice.

Counsel for the Petitioner: MR.B.PARAMESEWARA RAO

Counsel for the Respondents: MR.S.S. VARMA (Addl. SC FOR CG)

The Court made the following:

ORDER:

Heard learned counsel for the petitioner and Sri.S.S.Varma, learned Standing Counsel appearing for respondents 1 and 2.

This writ petition is filed aggrieved by the order passed by the fourth respondent dated 14.01.2005, whereunder the request of the petitioner to retain the family accommodation at CISF unit, BDL, Bhanur was rejected and he was directed to vacate the family accommodation immediately and also to pay the penal rent and the electric and water charges.

The learned counsel for the petitioner contends that the said order is contrary to the directions issued by the first respondent in the circular dated 19.12.1994 under which the family members of personnel are allowed to retain the residential accommodation till the end of academic session and no penal interest should be charged from them. It is also brought to my notice that under similar circumstances this Court disposed of W.P.No.21925 of 2004 with a direction to the fourth respondent herein to pass appropriate orders on the representation made by the petitioner therein and till then not to initiate any recovery proceedings against the petitioner therein.

Having regard to the facts and circumstances and keeping in view the order already passed by this Court in W.P.No.21925 of 2004, the writ petition is disposed of granting liberty to the petitioner to make an appropriate representation before the fourth respondent to allow his family to remain in the quarters in terms of the circular dated 19.12.1994 within four weeks from today. If such representation is made, the same shall be considered and disposed of by the fourth respondent within a period of four weeks from the date of receipt of the representation. Till such time, there shall be a direction to the fourth respondent not to initiate any recovery proceedings. No costs.

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28.01.2005

sh/lsk

To

1. The Deputy Inspector General, Central Industrial Security Force, South Zone, Rajaji Bhavan, Basanthnagar, Chennai.
2. The Senior Commandant, Central Industrial Security Force, B.D.L.. Kanchanbagh, Hyderabad.
3. The Deputy Commandant, Central Industrial Security Force Unit, B.D.L.. Bhanur, Medak District.
4. The Commandant, Central Industrial Security Force Unit, Visakhapatnam Steel Project, Visakhapatnam.

5. Two C.D. copies.